

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

**CLIFFORD MICHEL, GUERDA
LOUIS, RALPH FREDERIC,**
Plaintiffs

v.

**WORKRISE TECHNOLOGIES
INC., HCS RENEWABLE
ENERGY LLC, ROBERT BURNS,**
Defendants

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No. 1:21-CV-00681-DH

ORDER

The Court recently granted summary judgment in favor of Workrise Technologies Inc. and HCS Renewable Energy LLC, the sole remaining defendants in this case. Dkt. 187. After entering that order, the Court set a status conference and ordered the parties to meet and confer to discuss what, if anything, remains for the Court's decision, as several contested motions were still pending on the Court's docket at the time of the summary-judgment order. *See* Dkts. 132, 133, 135, 137, 142, 145, 150, 154, 160. In an email sent to chambers prior to the status conference, and in their representations on the record during that conference, the parties confirmed that, due to mootness and/or agreements between the parties, none of the remaining motions were disputed.

For the reasons stated on the record, the Court enters the following rulings on the remaining motions cited above:

As for Defendants' pending sealing and protective-order motions, Plaintiffs have withdrawn their opposition. Accordingly, the Court **GRANTS** as unopposed the motions at docket entries 133, 142, 145, 150, 154, and 160.

In exchange for Plaintiffs' agreement to withdraw their opposition to Defendants' sealing and protective-order motions, Defendants agreed to withdraw their pending motion and supplemental motion for an order to show cause filed against Plaintiffs' firm, Dkts. 132, 137. In the undersigned's view, the parties are not the only stakeholders to the concerns raised in Defendants' motion, considering it accuses Plaintiffs' attorneys of possibly willfully violating this Court's order to maintain the confidentiality of certain documents Defendants produced in discovery. Nonetheless, in a showing of support for the parties' cooperative spirit, the Court will accept their agreement to drop this dispute. The Court therefore **DISMISSES AS MOOT** Defendants' motion and supplemental motion for an order to show cause, Dkts. 132, 137.

Lastly, with respect to Defendants' pending motion to strike Plaintiffs' expert, Coneisha Sherrod, and exclude her expert report, Dkt. 135, the parties agree that motion is now moot in light of the Court's granting summary judgment. The parties agree that, should the judgment of the Court be reversed on appeal and remanded for trial, then Defendants could reassert the motion on remand. The Court, therefore, **DENIES** Defendants' motion without prejudice to its being reasserted should the case be remanded to this Court following Plaintiffs' appeal.

SIGNED June 20, 2024.



DUSTIN M. HOWELL
UNITED STATES MAGISTRATE JUDGE